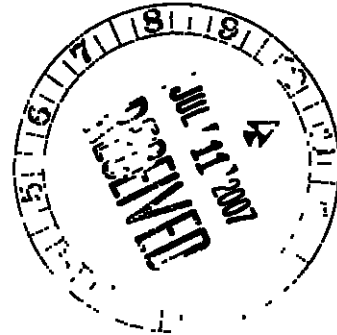




Mack H. Shumate, Jr.
Senior General Attorney, Law Department

219133

July 10, 2007



VIA FACSIMILE #202/565-9004 and U.P.S. OVERNIGHT

Mr. Vernon Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

RE: Proposed Abandonment of the Waxahachie Industrial Lead from Milepost 798.03 to Milepost 802.60, a distance of 4.57 miles in Ellis County, Texas; STB Docket No. AB-33 (Sub-No. 229X)

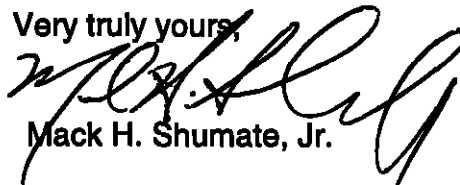
Dear Mr. Williams:

The Union Pacific Railroad Company, (Union Pacific), has received a request from the City of Waxahachie, Texas, for an additional 90 day extension of its Notice of Interim Trail Use pursuant to 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 regarding that portion of the Union Pacific's right-of-way known as the Waxahachie Industrial Lead from M.P. 798.03 near Waxahachie to M.P. 802.60 near Nena, a distance of 4.57 miles in Ellis County, Texas.

The Union Pacific and the City of Waxahachie have reached an agreement concerning the acquisition of the subject property for trail use and Union Pacific supports the City of Waxahachie's request for an additional 90 day period commencing July 27, 2007. A copy of the City of Waxahachie's request is attached hereto as Exhibit "A" and hereby made a part hereof.

Ten (10) additional copies of this letter and exhibit are enclosed for the Board's use and distribution.

Very truly yours,



Mack H. Shumate, Jr.

Enclosures

cc: City of Waxahachie

ENTERED
Office of the Secretary

JUL 11 2007

Part of
Public Record

O \ABANDONMENTS\33-229X\STB-NITU7.doc

CHAPMAN & CHAPMAN LLP

ATTORNEYS AND COUNSELORS

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RECEIVED

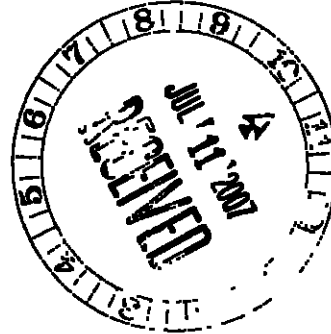
JUL 10 2007

**LAW DEPARTMENT
UNION PACIFIC RR CO**

RICHARD F. CHAPMAN (1903-1987)
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FAX (972) 937-9446

July 5, 2007



Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N W
Washington, DC 20423-0001

Re Docket No AB-33 (Sub-No 229X), Union Pacific Railroad Company-Abandonment
Exemption--in Ellis County, Texas (Waxahachie Industrial Lead)

Dear Mr. Williams

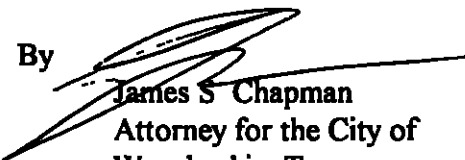
Enclosed please find an original and ten (10) copies of Petition for Extension of Notice of Interim Trail Use; for filing with the Board in the above-referenced matter. A copy is being sent served on Applicant's representative.

The filing fee is waived for the City of Waxahachie, Texas

Very truly yours,

CHAPMAN & CHAPMAN LLP

By


James S. Chapman
Attorney for the City of
Waxahachie, Texas

JSC/sb
Enclosures

CC Mack H. Shumate
Union Pacific Railroad
101 N. Wacker Dr., Room 1920
Chicago, IL 60606-1718

EXHIBIT

A

BEFORE THE
SURFACE TRANSPORTATION BOARD



UNION PACIFIC RAILROAD COMPANY §
ABANDONMENT EXEMPTION §
IN ELLIS COUNTY, TEXAS §
(WAXAHACHIE INDUSTRIAL LEAD) §

DOCKET NO. AB-33-11
(SUB-NO. 229X)

**PETITION FOR EXTENSION OF
NOTICE OF INTERIM TRAIL USE**

CITY OF WAXAHACHIE, TEXAS
401 S Rogers
Waxahachie, Texas 75165

Proposed Trail User

CHAPMAN & CHAPMAN LLP
JAMES S CHAPMAN
P.O. Box 641
Waxahachie, Texas 75168
(972) 938-2720
(972) 937-9446 (fax)

Attorney for Proposed Trail User

BEFORE THE
SURFACE TRANSPORTATION BOARD

UNION PACIFIC RAILROAD COMPANY §
ABANDONMENT EXEMPTION §
IN ELLIS COUNTY, TEXAS §
(WAXAHACHIE INDUSTRIAL LEAD) §

DOCKET NO AB-33
(SUB-NO. 229X)



**PETITION FOR EXTENSION FOR
NOTICE OF INTERIM TRAIL USE**

BACKGROUND

On February 1, 2006 the Surface Transportation Board ("Board") issued a Decision and Notice of Interim Trail Use or Abandonment the City of Waxahachie, Texas ("City") and Union Pacific Railroad Company ("UP") for the City and UP to be able to negotiate an agreement for interim trail use/railbanking for the Waxahachie Industrial Lead by July 31, 2006.

On July 28, 2006, the Board issued a Decision extending the NITU negotiating period to October 29, 2006. On October 27, 2006, the Board issued a Decision extending the NITU negotiating period to December 28, 2006. On December 19, 2006, the Board issued a Decision extending the NITU negotiating period to February 26, 2007. On February 26, the Board issued a Decision extending the NITU negotiating period to April 27, 2007. On May 18, 2007, the Board issued a Decision extending the NITU negotiating period to July 26, 2007.

The parties have negotiated in good faith and have reached an agreement. It is anticipated that additional time will be needed to complete the appraisal, as UP has encountered survey delays, and complete the transaction. An additional ninety (90) days is requested.

CONCLUSION AND REQUESTED RELIEF

WHEREFORE, it is requested that the Board should issue a ninety (90) day extension for Notice of Trail Interim Use authorizing the City and UP to negotiate for rail banking, interim recreational trail use and potential acquisition in fee of the right-of-way involved in this proceeding.

CITY OF WAXAHACHIE, TEXAS
401 S. Rogers
Waxahachie, Texas 75165

Proposed Trail User

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JAMES S. CHAPMAN

Attorney for Proposed Trail User